

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **People of MI v Keith Brooks**

Docket No. **289008**

L.C. No. **07-006594-01**

Brian K. Zahra, Judge, acting under MCR 7.211(E)(2), orders:

This cause is REMANDED to the Wayne County Circuit Court for a determination, within 7 days, whether to appoint appellate counsel for the defendant-appellee. Matters pertaining to the appointment of an attorney are decided in the trial court. MCR 7.208(G). The trial court shall determine whether defendant is indigent and whether he wishes appellate counsel to be appointed to represent him in this appeal. If both questions are determined in the affirmative, the trial court shall appoint appellate counsel for defendant.

The circuit court shall send a copy of the order of appointment to this Court and the prosecuting attorney in this matter, Jason Williams, who in turn shall immediately serve the application upon appointed appellate counsel and provide this Court with a proof of service. Because the matter is currently scheduled for trial on January 19, 2009, appellate counsel shall file an answer to the application in the Detroit Clerk's office on or before January 8, 2009.

This Court retains jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

DEC 10 2008

Date

Sandra Schultz Mengel
Chief Clerk